

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES CZARNECKI and : CIVIL ACTION  
ANNE CZARNECKI, h/w :  
: :  
v. : :  
: :  
HOME DEPOT USA, INC. : NO. 07-4384

FILED

JUN - 3 2009

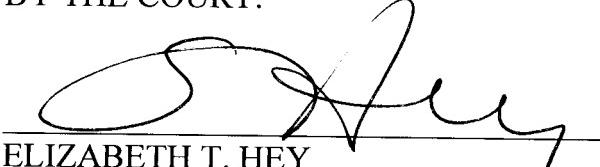
MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

ORDER

AND NOW, this 3rd day of June, 2009, after consideration of Defendant's motion to preclude Plaintiffs' proposed expert testimony and for summary judgment (Doc. 47), Plaintiffs' response thereto (Doc. 50), and Defendant's reply (Doc. 60), it is hereby ORDERED that the motion is DENIED.

IT IS FURTHER ORDERED that Counts I and II are hereby DISMISSED on Plaintiffs' representation that they are withdrawn.

BY THE COURT:

  
ELIZABETH T. HEY  
UNITED STATES MAGISTRATE JUDGE